

## **REMARKS**

Claims 1-71 are pending. Claims 1, 13-15, 43, 51-53, 61-63, and 71 have been amended.

### **I. Rejections Over the Prior Art:**

In responding to the Examiner's prior art rejections, Applicant here only justifies the patentability of the independent claims (i.e., claims 1, 13, 26, 35, 43, 54, and 64). As the Examiner will appreciate, because these independent claims are patentable over the prior art, narrower dependent claims are also necessarily patentable. Accordingly, Applicant does not separately discuss the patentability of the dependent claims, although it reserves the right to do so at a later time if necessary.

Further, while particular differences between the references cited by the Examiner and limitations of claims 1 and 13 will be discussed below, the Examiner will appreciate that the other independent claims use similar language that allows the discussion of the limitations of claims 1 and 13 to be similarly applied.

### **Rejections under 35 U.S.C. § 102(b)**

Independent claims 1 and 43 stand rejected as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 6,147,703 ("Miller"). The rejection is respectfully traversed.

As amended, claim 1 recites, "moving the at least one displayed image using the graphical user interface, and while moving the at least one displayed image, using at least the stored second image data set to display the at least one displayed image in the graphical user interface." In other words, claim 1 requires (i) displaying an image using a first image data set, (ii) moving the

displayed image, and (iii) using a second image data set to display the displayed image when the displayed image is moved.

Miller does not teach or suggest at least the above limitations of the claimed invention. With regard to displaying the images, Miller teaches displaying a series of pictures in an index 28 at a low resolution, and separately displaying a larger picture on the screen 14, which corresponds to one of the pictures in a selected location 36 of the index 28 (*see* Miller, Figure 2, col. 4, lines 39-48). Thus, when a particular image is selected in the index 28, it is displayed as a separate, larger image on the screen 14. Accordingly, the display of the larger sized image on the screen 14 occurs only as a result of a selection of an image in the index 28, and is entirely separate from any other actions.

Further, with regard to moving the image as required by claim 1, this concept is not taught or suggested by Miller. Instead, Miller teaches removing the full-size image from the display 14 while the image strip (i.e., the index) scrolls from image to image. Only when the scrolling is stopped on a low-resolution image in the index 28 is a new image displayed on the screen 14 (*see* Miller, Figure 6, col. 7, lines 4-29). Thus, in contrast to the limitations of claim 1 discussed above, Miller teaches that the display of an image having a different resolution from the image in the index 28 is entirely separate from the scrolling of the image in the index 28, which occurs at a single, fixed resolution. Thus, to summarize, Miller does not show or suggest displaying an image using a first image data set, and using a second image data set to display the image while the image is being moved.

Because Miller teaches scrolling a series of images at a single fixed resolution, and further teaches that the scrolling of a reduced-resolution image is entirely separate from the display of a larger corresponding image, Miller cannot teach or suggest “moving the at least one displayed

image using the graphical user interface, and while moving the at least one displayed image, using at least the stored second image data set to display the at least one displayed image in the graphical user interface,” as required by claim 1. Accordingly, the rejection of claim 1 (and the corresponding dependent claims) is improper. Independent claim 43 incorporates similar limitations, and thus the above argument applies with equal force to this claim. Accordingly, withdrawal of the rejections for claims 1 and 43 (and the corresponding dependent claims) is respectfully requested.

#### **Rejections under 35 U.S.C. § 103(a)**

Independent claims 13, 26, 35, 54, and 64 stand rejected as being obvious under 35 U.S.C. § 103(a) by Miller and U.S. Patent No. 6,215,523 (“Anderson”). The rejection is respectfully traversed.

Claim 13 recites, in part, “moving the plurality of displayed images using the graphical user interface, and while moving the plurality of displayed images, querying an image data set for each of the plurality of displayed images different from the first image data set to display the plurality of displayed images in the graphical user interface.” In other words, claim 13 requires (i) using a first image data set to display a plurality of images, (ii) moving the plurality of displayed images, and (iii) while moving the plurality of displayed images, querying an image data set different from the first image data set (i.e., another image data set) to display the plurality of displayed images.

Miller does not teach or suggest the above limitations of claim 13, as evidenced by the above discussion of the similar claim limitations found in claim 1. Anderson, like Miller, also does not teach or suggest the above limitations of claim 13. The Examiner relies on Anderson to

teach that three image data sets are used (a thumbnail image, a scrennail image, and the compressed image data), to address a separate limitation of claim 13. However, the use of three image data sets has no bearing on moving a plurality of displayed images, as required by the above limitations of claim 13.

Like Miller, Anderson teaches displaying a plurality of small thumbnails 700 on an LCD screen 402, and displaying a resized thumbnail 704 as a separate, larger image. When the user presses a control button 409, the small thumbnails 700 are scrolled on and off the LCD screen 402 (*see* Anderson, col. 10, lines 46-64). Additional information for a selected small thumbnail 700, including a separate resized thumbnail 704, is displayed on the LCD screen 402 (*see* Anderson, col. 11, lines 10-23).

Thus, Anderson does not teach or suggest moving the image as required by claim 13. Instead, Anderson teaches that the display of a resized thumbnail 704, which has a different resolution than a small thumbnail 700, is entirely separate from the scrolling of the small thumbnail 700. Further, the scrolling of the small thumbnail 700 occurs at a single, fixed resolution. Thus, like Miller, Anderson does not show or suggest displaying a plurality of images using a first image data set, and using another image data set to display the plurality of images while the images are being moved.

Because both Miller and Anderson teach scrolling a series of images at a single fixed resolution, and further teach that the scrolling of a reduced-resolution image is entirely separate from the display of a larger corresponding image, neither Miller nor Anderson, separately or in combination, teach or suggest “moving the plurality of displayed images using the graphical user interface, and while moving the plurality of displayed images, querying an image data set for each of the plurality of displayed images different from the first image data set to display the plurality of

displayed images in the graphical user interface,” as required by claim 13. Accordingly, the rejection of claim 13 (and the corresponding dependent claims) is improper. The remaining independent claims 26, 35, 54, and 64 each incorporate similar limitations, and thus the above argument applies with equal force to these claims. Accordingly, withdrawal of the rejections for claims 13, 26, 35, 54, and 64 (and the corresponding dependent claims) is respectfully requested.

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Based on the above remarks, Applicant respectfully submits that pending claims 1-71 are allowable, and requests that a Notice of Allowance issue for these claims.

Respectfully submitted,

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